

DULUTH AMERICAN INDIAN COMMISSION MEETING
Monday, November 19, 2007 - 5:00 p.m.
Room 402 City Hall

MEMBERS PRESENT: Joy Dorscher, Dr. Robert Powless, Tony LaDeaux, Ricky DeFoe, John Day, Michele Gordon, Warner Wirta

EXCUSED ABSENT: Donna Ennis, Beatrice Kitto

ABSENT: Mike Sayers

STAFF PRESENT: John Judd, Katie Nickolay, David Holbeck

OTHERS PRESENT: See sign-in sheets

CALL TO ORDER, APPROVAL OF AGENDA AND INTRODUCTIONS:

Michele Gordon and John Day requested some additional informational and discussion items be added to the agenda.

Motion by John Day, seconded by Ricky DeFoe, to approve the agenda as amended. The motion was unanimously approved.

REVIEW AND APPROVAL OF MINUTES FROM THE SEPTEMBER 17, 2007 MEETING:

Motion by Dr. Powless, seconded by Ricky DeFoe, to approve the minutes of the October 15, 2007 meeting. The motion was unanimously approved.

COMMUNITY PUBLIC FORUM/OPEN PUBLIC COMMENT PERIOD:

Commission Liaison with the Children's Justice Initiative (CJI) - Carol DeVerney, from the Children's Justice Initiative, said attorneys and public defenders meet on the first Monday of the month at 3:00 p.m. in Judge Floerke's chambers on the third floor of the County Court House. People need to contact Judge Floerke's law clerk (Kelly Deacy) in order to attend and be placed on the agenda for the meeting. They would like to have a representative from the DAIC attend their meeting with concerns that address the CJ Initiative. Current issues of concern include the lack of law enforcement agencies recognizing, honoring and enforcing Tribal court rulings. Police education is part of what the CJI are discussing while looking at these issues. LaDeaux said there has been a history of confusion with ICWA rules and child custody, one example was the concerning the Bethany Shelter in West Duluth and the ambivalence of police to recognize ICWA. DeVerney expressed the importance of having a tribal advocate and attorney that can defend and be aware of Indian rights and ICWA at these hearings. LaDeaux said he would volunteer to attend upcoming meeting with the CJI.

Neighborhood Housing Services (NHS) update - connecting with the American Indian Community

Sandy Robinson is president of the board of directors for Neighborhood Housing Services (NHS). She distributed NHS informational pamphlets. NHS is seeking to make connections in the Indian community and with the DAIC. They also want to clarify information about the Lake Superior Condo project, funded partially by the Housing Investment Fund (HIF), which is being looked at by the City Council. Two units have been sold and the last section has been certified for occupancy. NHS is confident that they will have buyers. The contact information was included on the brochure for any questions. Robinson said the board meets on the fourth Monday of the month at the Ordean Foundation at different times.

City of Duluth, Police Chief Gordon Ramsay and Sgt. Robert Shene - Sgt. Bob Shene oversees the violent crimes unit. Chief Ramsay wants to increase community trust in the Police Department. They would answer any questions the DAIC and public had.

Shene's summary of double homicide case - Donald Smith and Jeanie Smith were killed under the bridge coming off I-35. Police know how, when and who did it. The problem with the case is there is not enough solid evidence to convict the individual in court. This was a domestic violence death where Michael Love, Jeanie's ex boyfriend, killed both Jeanie and Donald. Shene told the DAIC about the problems with the investigation: the scene was very terrible and an assumption made at the time was that the person who committed the crime would leave something or bring something out with them from the scene. Unfortunately, this was not the case. Shene expressed frustration because of a lack of physical evidence that can put Michael Love on trial. To not have any physical evidence on anything at the crime scene or Love and his apartment was amazing to Shene.

The Police do not work independently of the attorney's office; they work with attorneys all along. In this case, the circumstantial evidence, timetable, etc., was not enough for them to bring charges. J. Dorscher asked if the Police were in agreement with the Attorney's office that there is not enough evidence for this to be brought to trial. Shene said yes, at this time there is not enough evidence to convict Love. R. DeFoe asked if he is still in the area. Love is still in the area. Shene is still paying attention to M. Love and his whereabouts.

Day asked what the Indian community in Duluth can do to help in this investigation. Shene responded that the biggest thing is to bring any information relevant to this incident to him and he will follow up on it. Shene needs specific information and not hearsay. R. DeFoe asked if M. Love is Caucasian. Shene said Love is an African American man.

DeFoe asked about the importance of autopsy reports. Shene said in this case Donald died of loss of blood; he had 15 wounds on top of his head, defensive wounds on fingers, each blow caused a wound, and all blood at the scene came from him. Jeanie

had three impact wounds to her head, one broke her skull. The nature of her wounds would not have caused death instantly, but they were so traumatic that they hindered getting a positive identification of her. LaDeaux felt there is no way that Love could not have a trace of blood on him. Shene said Love is taller than Donald was and under certain circumstances Love could have beaten Donald and walked out with no blood on him, although this counterintuitive to what people may think about the scene.

M. Gordon asked if Love was still a threat. Shene said Love is 6 ft and weighs 130, but his history of domestic violence is what makes him a threat.

Shene then responded to public questions about tools or loose items by the Depot that may have been used as the murder weapon.

Ramsay expressed the importance of keeping the case active. Public asked if there was a reward. Shene said there is no reward fund. Dr. Powless asked if someone was to come up with reward money, would police put out a reward. Ramsay said absolutely. Powless asked the amount of money. Ramsay said the higher the reward, the more attention it gets. Powless said \$5,000 and Ramsay said that amount would be jumped on. Shene and Ramsay said that money will be given only if the information leads to an arrest.

Powless asked if people have information can they come in and give it and not be identified. Shene said yes, people can come in and do not have to give any identification. LaDeaux said people are not protected when it's known that they give information. LaDeaux and DeFoe brought up the issue of trust and how it is created (with police). Powless said that if Duluth police are interested in gaining trust of people in the community, tonight is an example of a great way of creating trust. He thanked Ramsay and Shene for coming tonight. Wirta supports a community review board that will create trust with all people in community.

R. DeFoe asked about the Tim Buckanaga case. Ramsay was working the day of that case; he said it was treated as a homicide. Attorneys said that there was not enough evidence to prosecute. Buckanaga's daughter (from the Public) asked questions about the case. Shene and Gordon expressed that they would sit down with Buckanaga's daughters privately and talk about the case.

DeFoe asked if these were hate crimes and said there is a perception of people not being prosecuted for crimes against Indian people and this needs to change and said Indian people need to see more convictions and answers.

LaDeaux commented about the legal atmosphere and said that people do not feel safe about coming forward with information. Gordon said he agrees and that they are trying to turn it around so people do feel safe. LaDeaux brought up civilian police review board and that people felt safer with that idea and that it is a trustful atmosphere for people to come out and speak.

Ramsay mentioned working on a project with the Arrowhead Regional Correctional Systems specifically looking at causes and solutions to racial disproportion in convictions and incarceration. Tom Roy is the contact for information for that project. J. Dorscher encouraged people to get involved in initial interviews with the police. Ramsay invited all to participate who are interested.

The DAIC thanks Ramsay and Shene for coming and creating more trust between the Indian community and the Police Department. Bob Shene can be contacted at his desk at 730-5499.

OLD BUSINESS:

Report on the Indian Center / Housing Project / Funding from MHFA – Sherry Sanchez-Tibbetts talked about the project being awarded \$3 million from Minnesota Housing Finance Agency (MHFA) and that the closing on the building should be in January, 2008. After the closing, a community celebration / feast is tentatively scheduled for February. The date will be finalized after the building is closed on. The next step is that the building is to be placed on the national registry of historic places.

Sanchez-Tibbetts said that construction is to begin in April with an opening date of April 2009. The Minnesota Chippewa Tribe may take most of the office space in the building. Dr. Powless brought up that there will be a mini-wellness clinic in the building. Congratulations to Sherry, Maria and the whole team for all they have done on this project and to the Fond Du Lac Band as well.

Letter to Area Veterans Organizations Regarding the Biauxwah Bridge –

Dr. Powless read aloud a letter to area Veterans organizations asking for funds for signs to be put in place on the Biauxwah Bridge. The draft letter was handed out in packets for Commission members. Powless discussed that changes can be made and then the letter would go out. He said unofficially that the Veterans organizations have agreed to pay. The official letter is necessary for them to authorize the payment.

Motion by Warner Wirta, seconded by Joy Dorscher, to approve the letter. Motion passed unanimously.

Discussion Regarding the Potential Use of Eric Ringsred's Property in Wisconsin

Eric Ringsred had called Dr. Powless about his property south of Superior and Ringsred's support for American Indian issues. However, the property is not in the Commission's area. Powless contacted two people in Wisconsin, Dennis White and Dr. Rick St. Germaine, and he is going to have them contact Ringsred or vice versa. Powless thinks the LCO reservation would be the logical place to go. Powless said that LCO will investigate this issue. The Commission is looking forward to hearing what White and St. Germaine will have to say about this issue.

Tribal Nations Education Committee- John Day talked about this Committee and wondered if a DAIC member would volunteer to be a representative on the Committee. The Committee looks into issues of Indian education from K-8. Each tribe and urban area can have representatives. John Day is the urban affairs representative for Duluth. He said that the Committee is in a forming stage but they meet quarterly. This role is a liaison for the tribes to the state and he thinks that Duluth needs a representative. Day asked for volunteers. Day will get more information about the Committee to John Judd and then send the detailed information out to the DAIC mailing list.

Independent School District (ISD) #709 Tony LaDeaux talked about the how Indian youth were being expelled from the District. LaDeaux said issues of racism involved and things need to be done to address the problems with these expulsions. LaDeaux said another education/racism summit will come together where the families can say what has happened to them and there needs to be another summit with media attention. He is wondering if the DAIC will endorse this summit. LaDeaux said United Way is endorsing it. He said the school district has not come forward. Judd said more information is needed, such as an agenda of the summit, in order for the DAIC to give its endorsement. Powless supported the idea of the summit in the spring. LaDeaux was thanked by Powless for his involvement in this issue. LeDeaux will keep updating the Commission.

NEW BUSINESS:

Results / Discussion of the Public Meeting Held on 10/18 Regarding Future Plans for Spirit Mountain – Warner Wirta read a letter that he has sent to the Tribune. Wirta expressed what he wanted to see and his vision for Spirit Mountain. The letter talked about the sacred sites and how Indian art could be produced and sold there in an arts center. Wirta said no motorized traffic should be allowed at site. DeFoe brought up the issue of who decides what is Native art and what is not. Wirta said the person would have to be representative of the area, oriented in this section of the country. Dr. Powless said that Spirit Mountain may be made into a carnival attraction and that caution needs to be taken with this issue. Powless thinks there needs to be a Native subcommittee or representation to the Spirit Mountain Authority to advise them on the “Indian” point of view. Judd suggested that the DAIC might want to use Wirta’s letter as a base and add more detail to it regarding what the Indian Community wants to see at Spirit Mountain. Judd said letter should go to the Spirit Mountain Executive Director and a copy the City Council. Dr. Powless will revise the letter and Judd will send it out to the DAIC so everyone can read it and endorse it if they choose. Judd said a letter needs to be sent soon so the DAIC is on record regarding this issue.

Discussion of the DAIC 2008 Work Plan and Scheduled topics – Judd said last year’s schedule was sent in the packet and there was no December meeting last year. Powless supports the schedule as it stands because it can be changed later.

Motion by Dr. Powless, seconded by John Day, to approve the schedule but to change the date to reflect 2008 meeting dates. The motion passed unanimously.

J. Judd brought up cutting back the number of meetings. There was discussion about having more meetings. DAIC chairs will meet to talk with Keith Hamre about meeting dates. Dorsher talked about community involvement and important issues discussed at meetings. Judd said that meetings could be moved to the YWCA when it is ready. Powless and Judd said all meetings could be held out of City Hall in the future.

Duluth Trafficking Task Force - Day talked about Rachel Pelosi, U. S. Attorney for Minnesota, establishing a Duluth human trafficking task force (forced prostitution, slavery?) that watches young Indian women and children who are being taken onto ships. This task force should have DAIC involvement. Day will continue to keep the DAIC informed. Powless said Maggie Kazel is also involved a project in getting women to not go out to the ships. Powless will provide her contact information to be shared with the DAIC. M Gordon said police should be concerned with this issue. Discussion: This has been happening for a long time and there were almost convictions ten years ago but they fell through.

ANNOUNCEMENTS, UPCOMING EVENTS AND COMMENTS FROM COMMISSION MEMBERS:

Dr. Robert Powless: Hopes there is more work in the impact of alcohol on the people. He hoped for a place (maybe in new Indian center) where kids and parents can come to discuss these types of matters. He also felt that the co-chairs need to discuss issues of DAIC member attendance and unexcused absences. He felt that a quorum should always be here at these meetings.

Warner Wirta: He is relieved that the DAIC is supporting the importance of what happens at Spirit Mountain.

John Judd: Passed around a flyer for the upcoming Powwow and Career Fair. He also brought up that Bob Grytdahl (Human Rights Commission) is looking for a new investigator. Grytdahl is looking for volunteers to help with the selection of that person. J. Day volunteered for this position. Judd asked if the DAIC wanted to meet in December. Discussion: Meeting will be Dec. 17th. Dorsher would like the County Attorney to attend.

Tony LaDeaux: Talked about the local political atmosphere and how he sees a split between Indian and African American people. He felt the Police Civilian Review Board's big hurdle is funding and money. He was glad Tim Buckanaga's daughters attending the meeting tonight. He expressed the difficulty of listening to what the police had to talk about tonight. There is a lot of work to do and the political atmosphere will not clear until 2010.

John Day: Invited everyone to the Urban Indian Advisory Board meeting at the Central Hillside Community Center on December 13th at 11:00 a.m., a pipe ceremony, feast, and then meeting to follow. Day encouraged all DAIC members to attend and give an

update on the activities of the DAIC. Day will send an e-mail with additional information to Judd to distribute to DAIC members.

Ricky DeFoe: He would like to attend the Urban Indian Advisory Board on December 13th. He said he has hope for Indian country in Duluth and the supportive services and housing programs that are in the works. He sees more Indian people effecting change with alcohol and drug awareness, language revitalization in the future which will contribute to the survival of Indian people. He felt it was a first tonight that the Police officers were so open with DAIC and the public. He felt this creates trust and looks promising.

Joy Dorsher: Was glad about the openness from the Police officers tonight. She expressed her sadness at the suddenness of the crimes committed against these people discussed tonight. She does not understand why Michael Love was allowed to terrorize Jeanie Smith for so long.

Michele Gordon: Agreed with Joy about the domestic violence, alcoholism, and child abuse problems in the area. She feels that each DAIC member is doing very important work. She wants to move forward and is glad that DAIC meetings will continue.

NEXT MEETING/DATE/LOCATION:

Monday, December 17, 5:00pm, Room 402 of City Hall.

ADJOURNMENT: 8:30 p.m.